

### REMARKS

This Amendment is in response to the Office Action mailed April 21, 2008. Claims 1-18, 22 and 27-33 are pending in the application. Claims 1, 2, 13, 17 and 27-29 are rejected and claims 3-12, 14-16, 18, 22 and 30-33 are objected to as being dependent upon a rejected base claim but allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicant responds to the Office Action as follow.

#### **Response to Claim Rejections – 35 U.S.C. § 102**

Claims 1, 2, 13, 17 and 27-29 are rejected under 35 U.S.C. § 102(b) as being anticipated by Vetter et al., U.S. Patent No. 5,377,815.

Claim 1 was rejected on the basis that Vetter discloses a carousel (2) rotationally coupled to a base, a plurality of assembly stations (4, 5, 21) including a merge station (4) having a merge tool including at least one merge finger or spreader (1) which is capable of engaging at least one head or head suspension assembly of a data storage to merge the at least one head or head suspension assembly relative to a data storage media. In Vetter, station (4) is a load station and reference number (1) is a syringe or workpiece that is loaded into holders 3 carried on the carousel at the load station (4). Claim 1, as amended, recites a merge station including at least one finger or spreader operable to engage at least one head or head suspension assembly of a data storage device in a first position and movable to a second position to merge the at least one head or head suspension assembly as claimed. Element (1) of Vetter is the workpiece and does not form a merge finger operable to engage a workpiece as claimed.

Claims 2 and 28 are dependent upon claim 1 and is allowable, among other reasons, based upon the allowability of claim 1.

Claim 13 was rejected on the basis that Vetter discloses a carousel (2) that includes an assembly nest comprising a recess (or nest cavity) located between holder 3 and finger 18 and a finger 18 cantilevered relative to the nest cavity of the nest. As amended, claim 13 recites an assembly nest comprising a nest body including a plurality of elongate sides enclosing a nest cavity and at least one finger having a first end coupled to one of the plurality of elongate sides and a cantilevered length extending from the first end to a second end located within an area of

the enclosed nest cavity. The holders 3 of Vetter are formed between the deflectable fingers 18 to hold a syringe 1. Thus in Vetter, fingers 18 form the sides of the holder 3. Vetter does not teach nor suggest an assembly nest including a plurality of elongate sides enclosing a nest cavity *and* at least one finger having a first end coupled to one of the plurality of elongate sides and a cantilevered length extending from the first end to a second end located within an area of the enclosed nest cavity as claimed.

Claim 17 is dependent upon claim 13 and is allowable based upon the allowability of claim 13.

Claim 29 was rejected on the basis that Vetter discloses nests (7, 8) including datum openings including a rotational datum opening (RDO) and an axial datum opening (ADO) as illustrated on page 3 of the Office Action. On page 3 of the Office Action, reference lines RDO and ADO appear to point to holder 3. As previously discussed, holders 3 secure the syringe 1 between deflectable fingers 18, which do not form datum openings RDO and ADO. As amended, claim 29 recites a carousel rotationally coupled to a base wherein the carousel includes at least one assembly nest and the at least one assembly nest includes openings including a rotational datum opening and an axial datum opening spaced from the rotational datum opening and an assembly tool including a first pin insertable into the rotational datum opening and a second pin insertable into the axial datum opening which is not taught nor suggested by Vetter.

Claim 27 is dependent upon claim 29 and allowable based upon the allowability of claim 29.

#### **Response to Allowable Subject Matter**

Claims 3-12, 14-16, 18, 22 and 30-33 are objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form. As discussed above, claims 1, 2, 13, 17 and 27-29 are also allowable and thus a Notice of Allowance for pending claims 1-18, 22, 27-33 is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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